

NOV 08 2005



Ecolab Inc.

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Page(s) 9 (including this page)

TO: Mail Stop EBC
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Fax: 1-571-273-8300 (Central Fax)

FROM: Andrew D. Sorensen
Chief Patent Counsel

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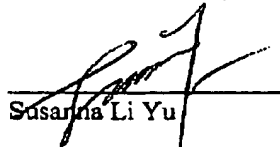
E-mail: andy.sorensen@ecolab.com

Title of Document Transmitted: COMMUNICATION REGARDING POWER OF ATTORNEY
AND PRACTITIONERS' ASSOCIATION OF CUSTOMER
NUMBER
Applicant: HUBER ET AL.
Serial No.: 10/535,067
Filed: JULY 13, 2005
Group Art Unit: 3746
Our Ref. No.: 2236USWO
Conf. No. 1846

Please charge any additional fees or credit overpayment to Deposit Account No. 501257. Please consider this a PETITION FOR EXTENTION OF TIME for a sufficient number of months to enter these papers, if appropriate.

By: AS
Name: Andrew D. Sorensen
Reg. No.: 33,606

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on the date shown below.


Susanna Li Yu

11/8/05
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PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: HUBER ET AL. Examiner: UNKNOWN
Serial No.: 10/535,067 Group Art Unit: 3746
Filed: JULY 13, 2005 Docket No.: 2236USWO
Conf No. 1846
Title: PERISTALTIC PUMP

Certificate of Facsimile Transmission

Pursuant to 37 CFR 1.6(d), I hereby certify that this correspondence is being sent to the facsimile number shown below, addressed to Mail Stop EBC, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the below indicated date.

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AND PRACTITIONERS' ASSOCIATION OF CUSTOMER NUMBER

Mail Stop EBC
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

On August 24, 2005, we filed a Power of Attorney and Correspondence Address Indication Form (PTO/SB/81) and a Statement Under 37 CFR 3.73(b) (PTO/SB/96) along with the recorded Assignment dated July 13, 2005 (later known as Reel/Frame: 016517/0260, see attached). We filed the aforesaid documents because we understand that this application is not associated with our Customer Number (43869). However, we received a Notice regarding Power of Attorney mailed September 14, 2005 stating that "The person(s) appointed in the Power of Attorney is not registered to practice before the U.S. Patent and trademark Office." (see attached)

According to our records and inquiries to the Patent Office, both attorneys appointed in the Power of Attorney are registered to practice before the USPTO. Therefore, we respectfully request

reconsideration of the Power of Attorney or guidance as to how to file the appropriate paperwork so that this application can be associated with our customer number.



Respectfully submitted,

ECOLAB INC.
Law Department
Mail Stop ESC-F7
655 Lone Oak Drive
Eagan, Minnesota 55121
Phone Number: (651) 795-5810
Fax Number: (651) 204-7507

Dated: 11/03/05

By: [Signature]
Name: Andrew D. Sorensen
Reg. No. 33,606

NOV 08 2005

PTO/SB/81 (04-05)

Approved for use through 11/30/2005. OMB 0651-0035
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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**POWER OF ATTORNEY
and
CORRESPONDENCE ADDRESS
INDICATION FORM**

Application Number	10/535,067
Filing Date	7/13/2005
First Named Inventor	HUBER
Title	PERISTALTIC PUMP
Art Unit	3746
Examiner Name	UNKNOWN
Attorney Docket Number	2238USWO

I hereby revoke all previous powers of attorney given in the above-identified application.

I hereby appoint:

☒ Practitioners associated with the Customer Number:

43869

OR

☐ Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please recognize or change the correspondence address for the above-identified application to:

☒ The address associated with the above-mentioned Customer Number:

OR

☐ The address associated with Customer Number:

43869

☐ Firm or
Individual Name

Address

City

State

Zip

Country

Telephone

Email

I am the:

☐ Applicant/Inventor.☒ Assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/06)**SIGNATURE of Applicant or Assignee of Record**

Signature

Date August 24, 2005

Name

Andrew D. Sorensen

Telephone (851) 795-5810

Title and Company

Chief Patent Counsel

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☐ Total of _____ forms are submitted.

This collection of information is required by 37 CFR 1.31, 1.32 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 36 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1480, Alexandria, VA 22313-1480.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PT O/SB/88 (09-04)

Approved for use through 07/31/2008. CMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

STATEMENT UNDER 37 CFR 3.73(b)Applicant/Patent Owner: Ecolab Inc.Application No./Patent No.: 10/535,087 Filed/Issue Date: 7/13/2005Entitled: PERISTALTIC PUMPEcolab Inc. a corporation
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.
The extent (by percentage) of its ownership interest is _____ %

in the patent application/patent identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.
2. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.
3. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.☐ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

as

Signature

Andrew D. Scorsen

Printed or Typed Name

Chief Patent Counsel

Title

9/1/05

Date

(851) 799-5810

Telephone Number

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Attorney Docket No.: 2236USWO

ASSIGNMENT

WHEREAS, we, Wolfgang Huber, residing at Johannes-Weibhäuser-Strasse 16, Friedolfing, 83413, Klaus Rutz, residing at Siegsdorferstrasse 15, Vachendorf, 83377, Germany, Ralf Heiduczek, residing at Klausweg 2a, Bischofswiesen, 83483 Germany, made certain new and useful inventions and improvements for which we filed an application for Letters Patent of the United States on May 13, 2005 which is entitled PERISTALTIC PUMP.

AND WHEREAS, ECOLAB INC., a corporation organized and existing under and by virtue of the laws of the State of Delaware, and having an office and place of business at Ecolab Center, 370 North Wabasha Street, St. Paul, Minnesota 55102 (hereinafter "Assignee") is desirous of acquiring the entire right, title and interest in and to said inventions, improvements and application and in and to the Letters Patent to be obtained therefor.

NOW THEREFORE, to all whom it may concern, be it known that for good and valuable considerations, the receipt and sufficiency whereof is hereby acknowledged, we have sold, assigned, and transferred, and by these presents do sell, assign and transfer unto said Assignee, its successors or assigns, the entire right, title and interest for all countries in and to all inventions and improvements disclosed in the aforesaid application, and in and to the application, all divisions, continuations, or renewals thereof, all Letters Patent which may be granted therefrom, and all reissues or extensions of such patents, and in and to any and all applications which have been or shall be filed in any foreign countries for Letters Patent on the inventions and improvements, including an assignment of all rights under the provisions of the International Convention, and all Letters Patent of foreign countries which may be granted therefrom; and we do hereby authorize and request the Commissioner of Patents and Trademarks to issue any and all United States Letters Patent for the aforesaid inventions and improvements to the Assignee as the assignee of the entire right, title and interest in and to the same, for the use of the Assignee, its successors and assigns.

AND, for the consideration aforesaid, we do hereby agree that we and our executors and legal representatives will make, execute and deliver any and all other instruments in writing including any and all further application papers, affidavits, assignments and other documents,

Attorney Docket No.: 2236USWO

and will communicate to said Assignee, its successors and representatives all facts known to us relating to said improvements and the history thereof and will testify in all legal proceedings and generally do all things which may be necessary or desirable more effectually to secure to and vest in said Assignee, its successors or assigns the entire right, title and interest in and to the improvements, inventions, applications, Letters Patent, rights, titles, benefits, privileges and advantages hereby sold, assigned and conveyed, or intended so to be.

AND, furthermore we covenant and agree with said Assignee, its successors and assigns, that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been made to others by us and that full right to convey the same as herein expressed is possessed by us.

IN TESTIMONY WHEREOF, I have hereunto set my hand this 2 day of

June, 2005.

W. Huber
Wolfgang Huber

Witnessed by:

Christine Demelmaier

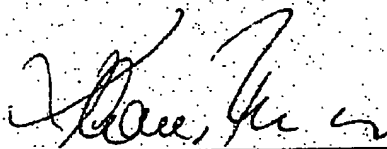
Full Name: Christine Demelmaier

Date: June 2, 2005

Attorney Docket No.: 2236USWO

IN TESTIMONY WHEREOF, I have hereunto set my hand this 2 day of

June, 2005.



Klaus Rutz

Witnessed by:

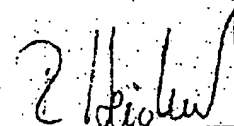


Full Name: Ralf Heiduczek

Date: June 2, 2005

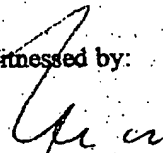
IN TESTIMONY WHEREOF, I have hereunto set my hand this 2 day of

June, 2005.



Ralf Heiduczek

Witnessed by:



Full Name: Klaus Rutz

Date: June 2, 2005

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www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
10/535,067	07/13/2005	Wolfgang Huber	2236USWO

ECOLAB INC.
ECOLAB CENTER
370 NORTH WABASHA STREET
ST. PAUL, MN 55102

CONFIRMATION NO. 1846



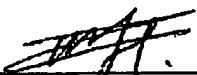
OC000000017011940

Date Mailed: 09/14/2005

NOTICE REGARDING POWER OF ATTORNEY

This is in response to the Power of Attorney filed 09/01/2005. The Power of Attorney in this application is not accepted for the reason(s) listed below:

- The person(s) appointed in the Power of Attorney is not registered to practice before the U.S. Patent and Trademark Office.


WUBALEM TSIGE
PTOSS (703) 305-3006

FORMER ATTORNEY/AGENT COPY